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January 28, 2004

ATTORNEY DOCKET NO. 04853.0111
CUSTOMER NO. 22,85217497 U.S. PTO
10/765048

012804

MAIL STOP PATENT APPLICATION**Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450**

New U.S. Patent Application

Title: **APOPTOSIS INDUCER AND METHOD OF SCREENING FOR A
SUBSTANCE INHIBITING ACYLATED HOMOSERINE LACTONE**

Inventors and Addresses:

- 1) **Nobuhiko NOMURA**
Tsukuba-shi, Japan
- 2) **Hitoshi MIYAZAKI**
Tsukuba-shi, Japan

Sir:

We enclose the following papers for filing in the United States Patent and Trademark Office in connection with the above patent application.

1. Application - 42 pages, including 3 independent claims and 11 claims total.
2. Drawings - 19 sheets of drawings containing 19 figures (Figure 14 is color photo).
3. Preliminary Amendment.
4. Petition To Accept Color Photographs (Three sets of Figure 14, color photo).
5. Certified copies of Japanese Patent Application Nos. 2003-021047, filed on January 29, 2003, and 2003-021053, filed on January 29, 2003, respectively.

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6. The filing fee is calculated as follows:

Basic Application Filing Fee					\$770	\$ \$770.00
	Number of Claims		Basic	Extra Claims		
Total Claims	11	-	20	0	x \$18	
Independent Claims	3	-	3	0	x \$86	
<input type="checkbox"/> Presentation of Multiple Dep. Claim					+\$290	
Subtotal						\$ 770.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 770.00

7. A check for \$770.00 is enclosed for filing fee.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicants await notification from the Patent and Trademark Office of the time set for filing the Declaration.

Applicants claim the right to priority based on Japanese Patent Application Nos. 2003-021047, filed on January 29, 2003, and 2003-021053, filed on January 29, 2003, respectively.

Please address all correspondence with respect to this application to:

**Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
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Please accord this application an application number and filing date.

Commissioner for Patents

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The Commissioner is hereby authorized to charge any additional filing fees due and any other fees due under 37 C.F.R. § 1.16 or §1.17 during the pendency of this application to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 

Ernest F. Chapman
Reg. No. 25,961

EFC/FPD/sci
Enclosures

PATENT
Attorney Docket No.: 04853.0111
CUSTOMER NUMBER 22,852

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nobuhiko NOMURA et al.

Serial No.: Not Yet Assigned

Filed: January 28, 2004

For: APOPTOSIS INDUCER AND METHOD
OF SCREENING FOR A SUBSTANCE
INHIBITING ACYLATED HOMOSERINE
LACTONE

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

01/30/2004 HLE333 00000006 060916 10765048

02 FC:1460 130.00 DA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO ACCEPT COLOR PHOTOGRAPHS UNDER 37 C.F.R. § 1.84(b)(2)

Applicants respectfully request that color photograph of Figure 14 in the above patent application be accepted under 37 C.F.R. § 1.84 (b)(2).

The specification has been amended as required under 37 C.F.R. 1.84 (a)(2)(iv). Three sets of color photograph of Figure 14 are enclosed. A black and white photocopy that accurately depicts, to the extent possible, the subject matter shown in Figure 14 is attached to Figures 1-13 and 15-19 filed with the patent application.

A check in the amount of \$130.00 is enclosed for the petition fee as required under 37 C.F.R. § 1.17(h).

~~The PTO did not receive the following
listed item(s) check for \$130.00~~

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The color photograph is necessary for a morphological evaluation to determine by staining with a fluorescent dye whether cell death was due to apoptosis or necrosis of the cells in a culture as described in more detail at page 9, lines 20-22, and page 34 line 14, to page 35, line 5, of the specification.

If there are any additional fees required in connection with this petition to accept color photographs, authorization is hereby given to charge the required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 28, 2004

By: 
Ernest F. Chapman
Reg. No. 25,961

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